



Brett Kilbourne
Vice President and Deputy General Counsel
Direct Line: 202.833.6807
E-mail: brett.kilbourne@utc.org

August 15, 2016

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 - 12th Street, S.W.
Washington, D.C. 20554

Ex Parte

Re: Notice of Ex Parte Presentation, WC Docket No. 10-90.

Dear Ms. Dortch:

The Utilities Technology Council is providing the following ex parte notification in the above-referenced proceeding in accordance with Section 1.1206 of the Commission's Rules. On August 12, 2016, Robert Hance and David Allen from Midwest Energy Cooperative ("Midwest") and the undersigned on behalf of the Utilities Technology Council ("UTC") met with Stephanie Weiner, Senior Legal Advisor, Wireline, Office of Chairman Wheeler, and Alexander Minard and Katie King from the Wireline Competition Bureau.

During the meeting, Midwest and UTC discussed the comments that were filed in response to the FCC's recently released *Report and Order and Further Notice of Proposed Rulemaking*.¹ The discussions during the meeting were consistent with the comments of UTC and the National Rural Electric Cooperative on the record. Specifically, Midwest and UTC supported the FCC's Gigabit performance tier and urged the Commission not to reallocate funds from certain census blocks into other census block or other states.²

Thank you for your help in this matter. If there are any questions concerning this matter, please let me know.

Respectfully,

A handwritten signature in black ink that reads 'Brett Kilbourne'.

Brett Kilbourne

Cc: FCC Participants

¹ Connect America Fund, *Report and Order and Further Notice of Proposed Rulemaking*, WC Docket No. 10-90, 81 Fed. Reg. 40235 (June 21, 2016) ("Report and Order and Further Notice of Proposed Rulemaking").

² *Id.* ¶¶217-224. See also Letter from Brett Kilbourne, UTC to Marlene Dortch, Secretary, FCC, WC Docket No. 10-90 (filed May 18, 2016) (asking that the FCC "refrain from reallocating the available funds from state-to-state or between census blocks.")